

REMARKS

This application has been reviewed in light of the Office Action dated March 29, 2007. Claims 1-4, 6-21, 23-26, 28-43, 45-47, 49-58, and 60-66 are presented for examination, of which Claims 1, 23, 45, and 60 are in independent form. Claims 1, 23, 45, and 60 have been amended to define Applicant's invention more clearly. Favorable reconsideration is respectfully requested.

The Office Action states that Claims 1, 4, 8-13, 19, 20, 23, 26, 30-35, 41, 42, 45, 51-54, 57, and 60 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 20020072993 (*Sandus*) in view of U.S. Patent Application Publication No. 20020026380 (*Su*); that Claims 2, 24, and 46 are rejected under § 103(a) as being unpatentable over *Sandus* in view of *Su* as applied to claims 1, 4, 8-13, 19, 20, 23, 26, 30-35, 41, 42, 45, 51-54, 57, and 60 in further view of U.S. Patent Application Publication No. 20030154135 (*Covington*); that Claims 3, 25, and 49 are rejected under § 103(a) as being unpatentable over *Sandus* in view of *Su*, as applied to claims 1, 4, 8-13, 19, 20, 23, 26, 30-35, 41, 42, 45, 51-54, 57, and 60 in further view of U.S. Patent Application Publication No. 20030083957 (*Olefson*); that Claims 5-7, 27-29, 47, 48, and 50 are rejected under § 103(a) as being unpatentable over *Sandus* in view of *Su*, as applied to claims 1, 4, 8-13, 19, 20, 23, 26, 30-35, 41, 42, 45, 51-54, 57, and 60 in further view of U.S. Patent Application Publication No. 20030033205 (*Nowers*); that Claims 14, 15, 36, and 37 are rejected under § 103(a) as being unpatentable over *Sandus* in view of *Su*, as applied to claims 1, 4, 8-13, 19, 20, 23, 26, 30-35, 41, 42, 45, 51-54, 57, and 60 in further view of U.S. Patent Application Publication

No. 20050075940 (*DeAngelis*); that Claims 16-18, 38-40, and 55-56 are rejected under § 103(a) as being unpatentable over *Sandus* in view of *Su*, as applied to claims 1, 4, 8-13, 19, 20, 23, 26, 30-35, 41, 42, 45, 51-54, 57, and 60 in further view of U.S. Patent Application Publication No. 20030195818 (*Howell*); and that Claims 21, 22, 43, 44, 58, and 59 are rejected under § 103(a) as being unpatentable over *Sandus* in view of *Su*, as applied to claims 1, 4, 8-13, 19, 20, 23, 26, 30-35, 41, 42, 45, 51-54, 57, and 60 in further view of U.S. Patent Application Publication No. 20030069832 (*Czepluch*). Applicants respectfully disagree, and traverse the rejections. Applicants respectfully submit that independent Claims 1, 23, 45, and 60, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

Claim 1 is directed to a method for a user to shop online in a three dimensional (3D) virtual reality (VR) setting. The method includes receiving a request at a shopping server to view a virtual shopping location and displaying the virtual shopping location on a user computer in a 3D interactive simulation view via a web browser to emulate a real-life shopping experience for the user, the virtual shopping location having at least one store. The method also includes obtaining a request to enter into a store of the virtual shopping location, and displaying an actual store website of the store on the user computer in the same web browser, in response to the request to enter into the store, wherein the actual store website of the store is linked to the virtual shopping location and wherein the actual store website is independently managed by the store and does not reside on the shopping server.

A notable feature of Claim 1 is “displaying an actual store website of the store on the user computer in the same web browser, in response to the request to enter

into the store, wherein the actual store website of the store is linked to the virtual shopping location and wherein the actual store website is independently managed by the store and does not reside on the shopping server.” As an example, the specification of the present application recites the following:

[W]hen clicking the store front, the user may be directed to the virtual reality enhanced portions 70 of the merchant’s actual website 54...

(Paragraph 26, emphasis added.)¹ Section 1 of the Office Action the Examiner points to *Sandus* as expressly disclosing the displaying an actual store website of the store on the user computer in the same web browser, in response to the request to enter into the store, wherein the actual store website of the store is linked to the virtual shopping location. Applicants respectfully disagree with this characterization of *Sandus* and traverse this rejection. Nonetheless, without regard to the propriety of the rejection, Claim 1 has been further clarified.

Should issues remain following a careful consideration of the present amendment, the courtesy of a telephone interview to provide clarification concerning those issues and discuss possible claim language to address the issues is respectfully requested.

Applicants have again reviewed *Sandus*, with particular attention to FIG. 3 and the specification, and now submit additional reasons why *Sandus* does not teach or suggest “displaying an actual store website of the store on the user computer in the same web browser, in response to the request to enter into the store, wherein the actual store website of the store is linked to the virtual shopping location and wherein the actual store

¹ The example(s) presented herein are for illustrative purposes only. It is to be understood that the claims of the present application are not limited by or to the illustrative example(s).

website is independently managed by the store and does not reside on the shopping server” as set forth in Claim 1.

Referring to FIG. 3 of *Sandus*, a view of a store interior that would be presented to a user when viewing a store interior of an electronic mall, is shown. As Applicants understand the *Sandus* system, a software rendering of the interior of a store is created using the GCI program and a user of the mall system navigates the mall website to view the individual store interior displayed on the mall website. *Sandus* recites:

Referring to FIG. 3, one embodiment of the invention may allow the GCI program to design or create retail store interiors.

(Paragraph [0084]) (emphasis supplied). When viewing one of the retail store interiors, the user remains viewing through the mall website instead of the merchant's website. Since the 3D rendering created in the *Sandus* system is not an actual store, *i.e.*, merchant(s) website, it is at most a portion of the larger website of the mall, and at the very least simply images within the shopping mall website. Thus, the programmatically created retail store interior store fronts and interiors viewed in the shopping mall of *Sandus* are not an “actual store website of the store ...linked to the virtual shopping location,” as set forth in Claim 1.

Moreover, Claim 1 recites that the “store is linked to the virtual shopping location” but “the actual store website is independently managed by the store and does not reside on the shopping server.” In stark contrast to *Sandus*, by virtue of these features, it is the merchant that manages the look, feel, and transaction processing corresponding to its own website. Since the merchant is external to the virtual shopping location, the merchant is not required to create and maintain both an external website

with virtual reality features and the virtual reality store interior appearing in one of the malls. By separating and linking the individual store website and its associated virtual reality content from the larger virtual shopping location the downloading time of the image content is reduced because the overall VRML 3D world is limited to only the virtual shopping location while in the shopping location. As mentioned at paragraph [0004] of the specification, webpage content may increase download time because the client computer renders the scenes locally. In addition downloading time (and therefore rendering time) increases as the virtual content complexity increases. Linking content to the virtual reality portions of a separate store website, external to the virtual shopping location website, may aid in reducing the complexity and therefore download time of the webpage content of the virtual shopping location that a user would be viewing through a browser.

Nothing in *Su* has been found that rectifies the deficiency of *Sandus*. *Su* relates to a method and system for effecting physical commerce in a computerized environment using the Internet. As Applicants understand the system in *Su*, a user acting as a shopper is presented with a single website from which to conduct their shopping (*Su*, FIG. 6). Users who wish to shop online use the menus and buttons on the website to request products from a shopping list, either created in advance or while at the website. Apparently the website takes the product request from the shopping list and searches affiliated merchants inventory electronically, at which point the user can select the product(s) they wish to purchase and then purchase the item(s). Thus, while *Su* may have a website stored on its server, its website is not a store website and its server is not a shopping server as recited in Claim 1.

In addition, *Su* further states:

[0071] In an alternative embodiment of the present invention, a Product Database 115 may be implemented as a part of a SMS 45 of a store instead of the IMS 75 of the ESS 35. Similarly, store specific Web pages can also be stored in and managed by individual store's SMS 45. The ESS 35 then assimilates the data collected by the communication network 30 from various stores and presents the data in an understandable format to a shopper at a local ECS 20 or a remote client system 60.

(*Su*, paragraph [0071]) (emphasis supplied). Therefore, *Su* at most, only presents data to a remote client system 60 via the Internet 55 that is assimilated from a store websites in a form viewable on the mall website. (*Su*, FIG. 1.) The edited information presented to the user is not an actual store website.

Su does not teach or suggest “displaying an actual store website of the store on the user computer in the same web browser, in response to the request to enter into the store, wherein the actual store website of the store is linked to the virtual shopping location and wherein the actual store website does not reside on the shopping server,” as recited in Claim 1.

Nothing has been found in *Sandus* or *Su*, that is believed to teach, suggest, or otherwise result in the above-discussed features of Claim 1, whether considered individually or in any permissible combination (if any). As such, Applicants submit that Claim 1 is not unpatentable over *Sandus* and *Su*, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claims 23, 45, and 60 include features similar to those of Claim 1 and therefore those claims are also believed to be patentable for at least the reasons discussed above. The other rejected claims in this application depend from one

or another of the independent claims and therefore are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and the allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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